

III. REMARKS

Preliminary Remarks

Upon entry of this amendment, claims 1-19 will be pending in this application of which claims 1 and 8 are independent. Claims 1-10 are amended to better correspond to U.S. patent practice and claims 11-19 are new. Support for the claim amendments and the new claims can be found in the specification and the claims as originally filed (*e.g.*, page 8, lines 13-14 and claims 1-10). The specification is amended to incorporate the priority information (the information has already been received and acknowledged by the U.S. Patent and Trademark Office). Therefore, the applicants believe that no new matter has been introduced as a result of these amendments.

This response is timely filed within the shortened statutory period for response. Therefore, the applicants believe that no fee is due.

Claims 4-7 were objected to under 37 C.F.R. §1.75(c) as depending from a multiple dependent claim. These claims are amended to depend from claim 1 rendering this objection moot. Thus the applicants respectfully request removal of this objection and examination of these claims on their merits.

The applicants respectfully request reconsideration and allowance of the present application.

Patentability Remarks

Rejections under 35 U.S.C. §103(a) –

Claims 1-3 and 8-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brichard *et al.* (U.S. Pat. No. 4,428,914). The applicants respectfully traverse.

Brichard *et al.* require the use of a condensed phosphate (abstract, claim 1). Indeed, Brichard *et al.* clearly indicate that condensed phosphate is a necessary feature to achieve improved stability of percarbonate granulate (column 7, lines 4-10; example 1 in columns 9 and 10 comparing products 1-6 with product 7R).

In contrast, the present invention is directed to a process for the preparation of granular sodium percarbonate and granular sodium percarbonate which do not contain a condensed phosphate (see, for example, page 3 line 36 to page 4, line 4). Therefore, Brichard *et al.* do not teach or suggest all the claim limitations. Further, the applicants submit that

Brichard *et al.* teach away from the present invention by requiring the use of condensed phosphate. The applicants respectfully submit that claims 1-3 and 8-9 are not unpatentable over Brichard *et al.* and request removal of this rejection.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Brichard *et al.* in view of Bewersdorf *et al.* (U.S. Pat. No. 5,714,201). The applicants respectfully traverse.

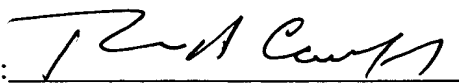
As noted above, Brichard *et al.* require the use of a condensed phosphate, in contrast to the present invention, and therefore do not teach or suggest all the claim limitations. Further, Brichard *et al.* teach away from the present invention by requiring the use of condensed phosphate. One of ordinary skill in the art, reading the disclosure of Brichard *et al.* would not consider omitting condensed phosphate from the process disclosed.

Bewersdorf *et al.* do not overcome the deficiencies of Brichard *et al.* For example, Bewersdorf *et al.* do not describe the use of 50 ppm to 2000 ppm of a magnesium compound additive, wherein the additive does not contain condensed phosphate. Therefore, claim 10 is not unpatentable over Brichard *et al.* in view of Bewersdorf *et al.* and the applicants respectfully request removal of this rejection.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue that the examiner feels may be best resolved through a personal or telephone interview, the examiner is strongly urged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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